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**Lucent Technologies**  
Bell Labs Innovations



**Diane M. Law**  
*Corporate Counsel*  
*Law Division*

1825 I Street, N.W.  
Tenth Floor  
Room 1002  
Washington, DC 20006

Telephone 202 756 7092  
Facsimile 202 756 7093  
E Mail dianemlaw@lucent.com

July 21, 1998

**By Hand**

Ms. Magalie Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

**RECEIVED**

**JUL 21 1998**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

Re: CC Docket No. 98-94 Biennial Regulatory Review – Testing New  
Technology NOI

Dear Ms. Salas:

Enclosed please find an original and six (6) copies of Lucent Technologies  
Comments for filing in the above-referenced proceeding. Also enclosed is a copy to be  
stamped and returned for our files.

Please do not hesitate to contact me should there be any questions.

Sincerely,

*Diane Law*  
Diane Law

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List ABCDE

*DHG*

Before the  
Federal Communications Commission  
Washington, D.C. 20554

**RECEIVED**

**JUL 21 1998**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Im1998 Biennial Regulatory Review -- )  
Testing New Technology )

CC Docket No. 98-94

COMMENTS BY LUCENT TECHNOLOGIES

Diane M. Law  
Corporate Counsel  
Regulatory Affairs  
Law Division  
Lucent Technologies, Inc.

Pursuant to Section 1.415 of the Federal Communications Commission's Rules, Lucent Technologies, Inc. ("Lucent") respectfully submits the following Comments in response to the *Notice of Inquiry*, FCC 98-118, released June 11, 1998 ("*NOI*"). The *NOI* sought comment on ways in which the Commission could redesign regulations in order to encourage and facilitate the testing of new technologies. Lucent designs, tests, and manufactures customer premises equipment ("CPE") and telecommunications equipment and is a major supplier of such equipment in the United States and around the world. As a manufacturer of innovative telecommunications products, Lucent is highly supportive of Commission efforts to facilitate manufacturers' ability to test and introduce new products into the marketplace.

To compete successfully in the telecommunications marketplace, manufacturers must be able to translate a good idea into a workable product and bring that product quickly to the market. Any delays in that process result in significant financial costs to the manufacturer, their customers, and the telecommunications industry. Delays increase research and development costs, create uncertainties in the marketplace, and shorten product lives already compressed by advances in technology. In addition, because new ideas often spring from existing ideas, delays in the introduction of new products and technologies slow the development and evolution of the next wave of products and technologies. Thus, regulatory obstacles to introducing new products and technologies and obtaining approval for those products should be kept at a minimum.

The Commission's existing processes for obtaining experimental licenses<sup>1</sup> in spectrum bands not used by the federal government and type approvals and acceptances<sup>2</sup> are generally not overly burdensome or time-consuming. Lucent has found, however, that the Commission's

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<sup>1</sup> The Commission's rules regarding experimental licenses are contained in Part 5 of Title 47 of the CFR.

<sup>2</sup> The Commission's general type acceptance and approval rules are contained in Part 2 of Title 47 of the CFR.

application processing times have increased across the board.<sup>3</sup> Lucent understands that the Commission's personnel resources are sorely taxed, but would greatly appreciate any efforts that the Commission could make to reduce experimental license and type approval application processing times.

In order to obtain an experimental license, an applicant must demonstrate that its experiments will not interfere with existing uses.<sup>4</sup> Although the coordination process in spectrum that is used by commercial licensees is not difficult, obtaining approval for experiments in bands used by the federal government can be time-consuming and complex. The applicant is placed in the difficult position of proving that an experiment will not interfere with existing governmental uses when, in many cases, it does not know the technical and operational parameters of those uses. In addition, approval times when government coordination is required can take up to six months. This sometimes frustrating and unpredictable process provides a disincentive for manufacturers to engage in testing technologies that involve spectrum used by the federal government. Lucent requests that the Commission consider providing relevant technical information regarding the government's existing spectrum uses and devise a faster and more equitable spectrum coordination process for bands that are used by the federal government.

Lucent firmly supports Commission initiatives designed to facilitate the testing of new technologies. Because bringing a product quickly to market is essential to that product's success, Lucent suggests that the Commission reduce experimental license and type approval application processing times as much as possible. In addition, Lucent requests that the Commission simplify the spectrum coordination process in bands used by the federal government.

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<sup>3</sup> Special Temporary Authorizations can take up to 90 days to process, and Experimental License applications can take up to 6 months. Type approvals typically are granted within 11-12 weeks.

Respectfully submitted,

Lucent Technologies, Inc.

By \_\_\_\_\_

Diane M. Law  
Corporate Counsel  
Lucent Technologies, Inc.  
1825 Eye St. NW, 10<sup>th</sup> Floor  
Washington, DC 20006

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<sup>4</sup> 47 C.F.R. § 5.67.